

The words “Federal service” are substituted for the words “service of the United States”. The word “may” is substituted for the words “shall have power”. The words “for the arrest of any accused person who, having been served with a warrant and a copy of the charges, disobeys a written order” are substituted for the words “to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing * * * a copy of the charge or charges having been delivered to the accused with such order”.

CROSS REFERENCES

Apprehension and restraint of persons subject to Uniform Code of Military Justice, see sections 807 to 814 of Title 10, Armed Forces.

§ 333. Execution of process and sentence

In the National Guard not in Federal service, the processes and sentences of its courts-martial shall be executed by the civil officers prescribed by the laws of the States concerned. In a State where no provision is made for executing those processes and sentences, and in the Territories, Puerto Rico, and the District of Columbia, the process or sentence shall be executed by a United States marshal or deputy marshal, who shall make a return to the military officer issuing the process or the court imposing the sentence.

(Aug. 10, 1956, ch. 1041, 70A Stat. 609; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, § 1234(b)(1), 102 Stat. 2059.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
333	32:94 (less 1st par.).	June 3, 1916, ch. 134, § 108 (less 1st par.), 39 Stat. 209.

The words “In the National Guard not in Federal service * * * its courts-martial” are substituted for the words “said courts”. The words “executing those processes and sentences” are substituted for the words “such action”. The words “deputy marshal” are substituted for the words “his duly appointed deputy”. The words “and it shall be the duty of any United States marshal to execute all such processes and sentences” are omitted as surplusage.

AMENDMENTS

1988—Pub. L. 100-456 struck out “the Canal Zone,” after “Puerto Rico,”.

CROSS REFERENCES

Apprehension and restraint of persons subject to Uniform Code of Military Justice, see sections 807 to 814 of Title 10, Armed Forces.

[§ 334. Repealed. Pub. L. 97-124, § 3, Dec. 29, 1981, 95 Stat. 1666]

Section, added Pub. L. 94-464, § 2(b), Oct. 8, 1976, 90 Stat. 1986; amended Pub. L. 96-513, title V, § 515(3), Dec. 12, 1980, 94 Stat. 2937, provided for the payment of malpractice liability of National Guard Medical personnel. See sections 1089(a) of Title 10, Armed Forces, and 2671 of Title 28, Judiciary and Judicial Procedure.

AMENDMENT AFTER REPEAL

Pub. L. 97-258, § 3(h)(1), Sept. 13, 1982, 96 Stat. 1065, purported to substitute “section 1304 of title 31” for “section 1302 of the Act of July 27, 1956, (31 U.S.C. 724a)” in subsec. (a) of section 334 of this title, without reference to the earlier repeal of that section by Pub. L. 97-124, § 3, Dec. 29, 1981, 95 Stat. 1666.

EFFECTIVE DATE OF REPEAL

Repeal effective only with respect to claims arising on or after Dec. 29, 1981, see section 4 of Pub. L. 97-124, set out as an Effective Date of 1981 Amendment note under section 1089 of Title 10, Armed Forces.

[§ 335. Repealed. Pub. L. 98-525, title IV, § 414(b)(2)(A), Oct. 19, 1984, 98 Stat. 2519]

Section, added Pub. L. 98-94, title V, § 504(b)(1), Sept. 24, 1983, 97 Stat. 632, related to status of certain members of the National Guard performing full-time duty.

CHAPTER 5—TRAINING

Sec.

- 501. Training generally.
- 502. Required drills and field exercises.
- 503. Participation in field exercises.
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- 505. Army and Air Force schools and field exercises.
- 506. Assignment and detail of members of Regular Army or Regular Air Force for instruction of National Guard.
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- 508. Assistance for certain youth and charitable organizations.

AMENDMENTS

1994—Pub. L. 103-337, div. A, title III, § 385(b), Oct. 5, 1994, 108 Stat. 2742, added item 508.

§ 501. Training generally

(a) The discipline, including training, of the Army National Guard shall conform to that of the Army. The discipline, including training, of the Air National Guard shall conform to that of the Air Force.

(b) The training of the National Guard shall be conducted by the several States and Territories, Puerto Rico, and the District of Columbia in conformity with this title.

(Aug. 10, 1956, ch. 1041, 70A Stat. 609; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, § 1234(b)(1), 102 Stat. 2059.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
501(a)	32:61 (1st 24 words).	June 3, 1916, ch. 134, § 91,
501(b)	32:61 (less 1st 24 words).	39 Stat. 206.

In subsection (a), the words “that of” are substituted for the words “the system which is or may be prescribed for”. The word “Army” is substituted for the words “Regular Army”, since the Army is the category for which the discipline and training is prescribed and the Regular Army is a personnel category for which no discipline and training is prescribed. Similarly, the words “Air Force” are used instead of the words “Regular Air Force”.

AMENDMENTS

1988—Subsec. (b). Pub. L. 100-456 struck out “the Canal Zone,” after “Puerto Rico,”.

PILOT PROGRAM TO USE NATIONAL GUARD PERSONNEL IN MEDICALLY UNDERSERVED COMMUNITIES

Pub. L. 102-484, div. A, title III, § 376, Oct. 23, 1992, 106 Stat. 2385, as amended by Pub. L. 103-160, div. A, title III, § 365, Nov. 30, 1993, 107 Stat. 1629; Pub. L. 103-337, div. A, title III, § 384, Oct. 5, 1994, 108 Stat. 2741, provided that:

“(a) PILOT PROGRAM.—The Chief of the National Guard Bureau shall enter into an agreement, approved by the Secretary of Defense, with each of the Governors of one or more States to carry out a pilot program during fiscal years 1993, 1994, and 1995 to provide training and professional development opportunities for members of the National Guard through the provision of health care to residents of medically underserved communities in those States with the use of personnel and equipment of the National Guard.

“(b) FUNDING ASSISTANCE.—Amounts made available from Department of Defense accounts for operation and maintenance and for pay and allowances to carry out the pilot program shall be apportioned by the Chief of the National Guard Bureau among those States with which the Chief has entered into approved agreements. In addition to such amounts, the Chief of the National Guard Bureau may authorize any such State, in order to carry out the pilot program during a fiscal year, to use funds received as part of the operation and maintenance allotments and the pay and allowances allotments for the National Guard of the State for that fiscal year.

“(c) SUPPLIES AND EQUIPMENT.—(1) Funds made available from Department of Defense operation and maintenance accounts to carry out the pilot program may be used for the purchase of supplies and equipment necessary for the provision of health care under the pilot program.

“(2) In addition to supplies and equipment provided through the use of funds under paragraph (1), supplies and equipment described in such paragraph that are furnished by a State, a Federal agency, a private agency, or an individual may be used to carry out the pilot program.

“(d) MAINTENANCE OF EFFORT.—The Chief of the National Guard Bureau shall ensure that each agreement under subsection (a) provides that the provision of services under the pilot program will supplement and increase the level of services that would be provided with non-Federal funds in the absence of such services, and will in no event supplant services provided with non-Federal funds.

“(e) COORDINATION AMONG PROGRAMS.—In carrying out the pilot program under subsection (a), the Chief of the National Guard Bureau shall consult with the Secretary of Health and Human Services for the purpose of ensuring that the provision of services under the pilot program are not redundant with the services of programs of such Secretary.

“(f) SERVICE OF PARTICIPANTS.—Service in the pilot program by a member of the National Guard shall be considered training in the member's Federal status as a member of the National Guard of a State under section 270 [see 10147] of title 10, United States Code, and section 502 of title 32, United States Code.

“(g) REPORT.—The Secretary of Defense shall, not later than January 1, 1995, submit to the Congress a report on the effectiveness of the pilot program and any recommendations with respect to the pilot program.

“(h) DEFINITIONS.—In this section:

“(1) The term ‘health care’ includes the following services:

“(A) Medical care services.

“(B) Dental care services.

“(C) Transportation, by air ambulance or other means, for medical reasons.

“(2) The term ‘Governor’, with respect to the District of Columbia, means the commanding general of the District of Columbia National Guard.

“(3) The term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.”

NATIONAL GUARD CIVILIAN YOUTH OPPORTUNITIES PILOT PROGRAM

Pub. L. 102-484, div. A, title X, §1091, Oct. 23, 1992, 106 Stat. 2519, as amended by Pub. L. 103-82, title I, §104(e)(1)(A), (C), Sept. 21, 1993, 107 Stat. 846; Pub. L. 103-160, div. A, title XI, §1174, Nov. 30, 1993, 107 Stat.

1767; Pub. L. 103-382, title III, §391(o), Oct. 20, 1994, 108 Stat. 4024, provided that:

“(a) PROGRAM AUTHORITY.—During fiscal years 1993 through 1995, the Secretary of Defense, acting through the Chief of the National Guard Bureau, may conduct a pilot program to be known as the ‘National Guard Civilian Youth Opportunities Program’.

“(b) PURPOSE.—The purpose of the pilot program is to provide a basis for determining—

“(1) whether the life skills and employment potential of civilian youth who cease to attend secondary school before graduating can be significantly improved through military-based training, including supervised work experience in community service and conservation projects, provided by the National Guard; and

“(2) whether it is feasible and cost effective for the National Guard to provide military-based training to such youth for the purpose of achieving such improvements.

“(c) CONDUCT OF THE PROGRAM.—The Secretary of Defense may provide for the conduct of the pilot program in such States as the Secretary considers to be appropriate.

“(d) PROGRAM AGREEMENTS.—(1) To carry out the pilot program in a State, the Secretary of Defense shall enter into an agreement with the Governor of the State or, in the case of the District of Columbia, with the commanding general of the District of Columbia National Guard.

“(2) Each agreement under the pilot program shall provide for the Governor or, in the case of the District of Columbia, the commanding general to establish, organize, and administer a National Guard civilian youth opportunities program in the State.

“(3) The agreement may provide for the Secretary to provide funds to the State for civilian personnel costs attributable to the use of civilian employees of the National Guard in the conduct of the National Guard civilian youth opportunities program.

“(e) PERSONS ELIGIBLE TO PARTICIPATE IN PROGRAM.—(1) A school dropout from secondary school shall be eligible to participate in a National Guard civilian youth opportunities program conducted under the pilot program.

“(2) The Secretary shall prescribe the standards and procedures for selecting participants for a National Guard civilian youth opportunities program from among school dropouts eligible to participate in the program.

“(f) AUTHORIZED BENEFITS FOR PARTICIPANTS.—(1) To the extent provided in an agreement entered into in accordance with subsection (d) and subject to the approval of the Secretary, a person selected for training in a National Guard civilian youth opportunities program conducted under the pilot program may receive the following benefits in connection with that training:

“(A) Allowances for travel expenses, personal expenses, and other expenses.

“(B) Quarters.

“(C) Subsistence.

“(D) Transportation.

“(E) Equipment.

“(F) Clothing.

“(G) Recreational services and supplies.

“(H) Other services.

“(I) Subject to paragraph (2), a temporary stipend upon the successful completion of the training, as characterized in accordance with procedures provided in the agreement.

“(2) In the case of a person selected for training in a National Guard civilian youth opportunities program conducted under the pilot program who afterwards becomes a member of the Civilian Community Corps under subtitle E of title I of the National and Community Service Act of 1990 [42 U.S.C. 12611 et seq.] (as added by section 1092(a)), the person may not receive a temporary stipend under paragraph (1)(I) while the person is a member of that Corps. The person may receive the temporary stipend after completing service in the

Corps unless the person elects to receive benefits provided under subsection (f) or (g) of section 158 of such Act [42 U.S.C. 12618(f), (g)].

“(g) PROGRAM PERSONNEL.—(1) Personnel of the National Guard of a State in which a National Guard civilian youth opportunities program is conducted under the pilot program may serve on full-time National Guard duty for the purpose of providing command, administrative, training, or supporting services for that program. For the performance of those services, any such personnel may be ordered to duty under section 502(f) of title 32, United States Code, for not longer than the period of the program.

“(2) For fiscal year 1993, personnel so serving may not be counted for the purposes of—

“(A) any provision of law limiting the number of personnel that may be serving on full-time active duty or full-time National Guard duty for the purpose of organizing, administering, recruiting, instructing, or training the reserve components; or

“(B) section 524 [now 12011] of title 10, United States Code, relating to the number of reserve component officers who may be on active duty or full-time National Guard duty in certain grades.

“(3) A Governor participating in the pilot program and the commanding general of the District of Columbia National Guard (if the District of Columbia National Guard is participating in the pilot program) may procure by contract the temporary full time services of such civilian personnel as may be necessary to augment National Guard personnel in carrying out a National Guard civilian youth opportunities program under the pilot program.

“(4) Civilian employees of the National Guard performing services for such a program and contractor personnel performing such services may be required, when appropriate to achieve a program objective, to be members of the National Guard and to wear the military uniform.

“(h) EQUIPMENT AND FACILITIES.—(1) Equipment and facilities of the National Guard, including military property of the United States issued to the National Guard, may be used in carrying out the pilot program.

“(2) Activities under the pilot program shall be considered noncombat activities of the National Guard for purposes of section 710 of title 32, United States Code.

“(i) STATUS OF PARTICIPANTS.—(1) A person receiving training under the pilot program shall be considered an employee of the United States for the purposes of the following provisions of law:

“(A) Subchapter I of chapter 81 of title 5, United States Code (relating to compensation of Federal employees for work injuries).

“(B) Section 1346(b) and chapter 171 of title 28, United States Code, and any other provision of law relating to the liability of the United States for tortious conduct of employees of the United States.

“(2) In the application of the provisions of law referred to in paragraph (1)(A) to a person referred to in paragraph (1)—

“(A) the person shall not be considered to be in the performance of duty while the person is not at the assigned location of training or other activity or duty authorized in accordance with a program agreement referred to in subsection (d), except when the person is traveling to or from that location or is on pass from that training or other activity or duty;

“(B) the person's monthly rate of pay shall be deemed to be the minimum rate of pay provided for grade GS-2 of the General Schedule under section 5332 of title 5, United States Code; and

“(C) the entitlement of a person to receive compensation for a disability shall begin on the day following the date on which the person's participation in the pilot program is terminated.

“(3) A person referred to in paragraph (1) may not be considered an employee of the United States for any purpose other than a purpose set forth in that paragraph.

“(j) SUPPLEMENTAL RESOURCES.—(1) To carry out a National Guard civilian youth opportunities program

conducted under the pilot program, the Governor of a State or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard may supplement any funding made available pursuant to subsection (m) out of other resources (including gifts) available to the Governor or the commanding general.

“(2) The provision of funds authorized to be appropriated for the pilot program shall not preclude a Governor participating in the pilot program, or the commanding general of the District of Columbia National Guard (if the District of Columbia National Guard is participating in the pilot program), from accepting, using, and disposing of gifts or donations of money, other property, or services for the pilot program.

“(k) REPORT.—(1) Within 90 days after the end of the one-year period beginning on the first day of the pilot program, the Secretary shall submit to the congressional defense committees a report on the design, conduct, and effectiveness of the pilot program during that one-year period. The report shall include an assessment of the matters set forth in paragraphs (1) and (2) of subsection (b).

“(2) In preparing the report required by paragraph (1), the Secretary shall coordinate with the Governor of each State in which a National Guard civilian youth opportunities program is carried out under the pilot program and, if such a program is carried out in the District of Columbia, with the commanding general of the District of Columbia National Guard.

“(l) DEFINITIONS.—In this section:

“(1) The term ‘pilot program’ means the National Guard Civilian Youth Opportunities Program authorized to be conducted under subsection (a).

“(2) The term ‘State’ includes the Commonwealth of Puerto Rico, the territories (as defined in section 101(1) of title 32, United States Code), and the District of Columbia.

“(3) The term ‘school dropout’ has the meaning established for the term by the Secretary of Education pursuant to section 6201(a) of the Elementary and Secondary Education Act of 1965 (as such section was in effect on the day preceding the date of enactment of this Act [probably means the date of enactment of Pub. L. 103-382, which was approved Oct. 20, 1994]) (20 U.S.C. 3271(a)).

“(4) The term ‘full-time National Guard duty’ has the meaning given that term in section 101 of title 32, United States Code.

“(m) FUNDING.—Of the amounts appropriated for the Department of Defense for operation and maintenance in fiscal year 1993 pursuant to the authorization of appropriations in section 301 [106 Stat. 2360], \$50,000,000 shall be available to carry out the pilot program for fiscal year 1993.”

CROSS REFERENCES

Army and Air Force training generally, see section 4301 et seq. and 9301 et seq. of Title 10, Armed Forces.

§ 502. Required drills and field exercises

(a) Under regulations to be prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be, each company, battery, squadron, and detachment of the National Guard, unless excused by the Secretary concerned, shall—

(1) assemble for drill and instruction, including indoor target practice, at least 48 times each year; and

(2) participate in training at encampments, maneuvers, outdoor target practice, or other exercises, at least 15 days each year.

However, no member of such unit who has served on active duty for one year or longer shall be required to participate in such training if the first day of such training period falls dur-

ing the last one hundred and twenty days of his required membership in the National Guard.

(b) An assembly for drill and instruction may consist of a single ordered formation of a company, battery, squadron, or detachment, or, when authorized by the Secretary concerned, a series of ordered formations of parts of those organizations. However, to have a series of formations credited as an assembly for drill and instruction, all parts of the unit must be included in the series within 90 consecutive days.

(c) The total attendance at the series of formations constituting an assembly shall be counted as the attendance at that assembly for the required period. No member may be counted more than once or receive credit for more than one required period of attendance, regardless of the number of formations that he attends during the series constituting the assembly for the required period.

(d) No organization may receive credit for an assembly for drill or indoor target practice unless—

(1) the number of members present equals or exceeds the minimum number prescribed by the President;

(2) the period of military duty or instruction for which a member is credited is at least one and one-half hours; and

(3) the training is of the type prescribed by the Secretary concerned.

(e) An appropriately rated member of the National Guard who performs an aerial flight under competent orders may receive credit for attending drill for the purposes of this section, if the flight prevented him from attending a regularly scheduled drill.

(f) Under regulations to be prescribed by the Secretary of the Army or Secretary of the Air Force, as the case may be, a member of the National Guard may—

(1) without his consent, but with the pay and allowances provided by law; or

(2) with his consent, either with or without pay and allowances;

be ordered to perform training or other duty in addition to that prescribed under subsection (a). Duty without pay shall be considered for all purposes as if it were duty with pay.

(Aug. 10, 1956, ch. 1041, 70A Stat. 610; Oct. 3, 1964, Pub. L. 88-621, §1(1), 78 Stat. 999; Dec. 1, 1967, Pub. L. 90-168, §4, 81 Stat. 526; Nov. 17, 1971, Pub. L. 92-156, title III, §303(b), 85 Stat. 425; Nov. 30, 1993, Pub. L. 103-160, div. A, title V, §524(b), 107 Stat. 1657.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
502(a)	32:62 (1st sentence, less proviso).	June 3, 1916, ch. 134, §92; restated June 3, 1924, ch. 244, §2; restated Oct. 14, 1940, ch. 875, §2, 54 Stat. 1135; Mar. 25, 1948, ch. 157, §5(a), 62 Stat. 90.
502(b).	32:62 (proviso of 1st sentence).	
502(c).	32:62 (last sentence, less 1st, 2d, and 3d provisos).	
502(d).	32:62 (1st proviso of last sentence).	
502(e)	32:62 (2d and 3d provisos of last sentence).	

In subsection (a), the words “including target practice” and “such company, troop, battery, or detach-

ment shall have been * * * from participation in any part thereof” are omitted as surplusage.

In subsections (a) and (b), the word “troop” is omitted as obsolete.

In subsection (b), the words “parts of those organizations” are substituted for the words “subdivisions or parts thereof”. The words “but in the latter case”, “of subdivisions or groups”, “comprehend”, and “the time limit of” are omitted as surplusage.

In subsection (c), the word “member” is substituted for the words “officer, warrant officer, or enlisted man”. The words “series of formations” are substituted for the words “separate consecutive formations announced”. The words “regardless of the number of formations that he attends during the series” are substituted for the words “even though he may have attended more than one of the formations”. The words “sum”, “actual military”, and “of time” are omitted as surplusage. 32:62 (4th proviso of last sentence) is omitted as superseded by section 683 of title 10. 32:62 (last proviso of last sentence) is omitted as superseded by section 501(b) of the Career Compensation Act of 1949, 63 Stat. 826 (37 U.S.C. 301(b)).

In subsection (d), the word “members” is substituted for the words “officers and enlisted men”. The words “for which a member is credited” are substituted for the words “participated in by each officer and enlisted man at each assembly at which he shall be credited as having been present”. The words “for duty at such assembly”, “actual”, and “character of” are omitted as surplusage.

In subsection (e), the word “member” is substituted for the words “officer or enlisted man”. The words “Air Corps * * * assigned to an Air Corps unit thereof, or * * * an officer or enlisted man of the Medical Department of the said National Guard regularly attached to an Air Corps unit of the National Guard by appropriate authority” are omitted, since the revised subsection applies only to members who perform flights under competent orders and who are thereby prevented from attending a regular drill.

AMENDMENTS

1993—Subsec. (b). Pub. L. 103-160 substituted “90 consecutive days” for “30 consecutive days” in second sentence.

1971—Subsec. (a). Pub. L. 92-156 inserted exception to training requirements where member served on active duty for one year or more if the training period falls during last one hundred and twenty days of required membership in National Guard.

1967—Subsec. (b). Pub. L. 90-168 substituted 30 consecutive days for seven consecutive days of the same calendar month as the time within which all parts of the unit must be included in a series of formations in order to be credited as an assembly for drill and instruction.

1964—Subsec. (f). Pub. L. 88-621 added subsec. (f).

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-168 effective first day of first calendar month following date of enactment of Pub. L. 90-168, which was approved Dec. 1, 1967, see section 7 of Pub. L. 90-168, set out as a note under section 138 of Title 10, Armed Forces.

CROSS REFERENCES

Appropriations for pay, disbursement and accounting, see section 1012 of Title 37, Pay and Allowances of the Uniformed Services.

Authorized number of enlisted members in pay grades E-8 and E-9 that may be on full-time National Guard duty, see section 12012 of Title 10, Armed Forces.

Credit for service as members of Army National Guard or Air National Guard of members of Army National Guard of United States or Air National Guard of United States, see section 12602 of Title 10.

Inactive duty training, duty (other than full-time duty) under this section as, see section 101 of Title 38, Veterans' Benefits.

Pay grades of National Guard personnel on active duty, see section 204 of Title 37, Pay and Allowances of the Uniformed Services.

Training duty compensation of members of National Guard, see section 206 of Title 37.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 101, 112, 715 of this title; title 5 sections 5517, 6323; title 10 sections 101, 701, 1054, 1089, 1208, 10143, 12011, 12012, 12602, 12732, 12733; title 28 section 2671; title 38 sections 101, 1965, 4312; title 50 App. section 456.

§ 503. Participation in field exercises

(a) Under such regulations as the President may prescribe, the Secretary of the Army and the Secretary of the Air Force, as the case may be, may provide for the participation of the National Guard in encampments, maneuvers, outdoor target practice, or other exercises for field or coast-defense instruction, independently of or in conjunction with the Army or the Air Force, or both.

(b) Amounts necessary for the pay, subsistence, transportation, and other proper expenses of any part of the National Guard of a State or Territory, Puerto Rico, or the District of Columbia participating in an exercise under subsection (a) may be set aside from funds allocated to it from appropriations for field or coast-defense instruction.

(c) Members of the National Guard participating in an exercise under subsection (a) may, after being mustered, be paid for the period beginning with the date of leaving home and ending with the date of return, as determined in advance. If otherwise correct, such a payment passes to the credit of the disbursing officer.

(Aug. 10, 1956, ch. 1041, 70A Stat. 610; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, § 1234(b)(1), 102 Stat. 2059.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
503(a)	32:63 (1st 56 words).	June 3, 1916, ch. 134, §§ 94
503(b)	32:63 (less 1st 56 words).	(less last 43 words after semicolon), 98, 39 Stat.
503(c)	32:158.	206, 207.

In subsection (a), the words “the whole or any part” and “any part of” are omitted as surplusage. The word “Army” is substituted for the words “Regular Army”, since the Army is the category that participates in the exercises, and the Regular Army is a personnel category only. Similarly, the words “Air Force” are used instead of the words “Regular Air Force”.

In subsection (b), the words “Amounts necessary” are substituted for the words “such portion of said funds as may be necessary”. The words “participating in an exercise under subsection (a)” are substituted for the words “as shall participate in such encampments, maneuvers, or other exercises, including outdoor target practice, for field and coast-defense instruction”. The words “allocated to it from appropriations for field or coast-defense instruction” are substituted for the words “appropriated for that purpose and allocated to any State, Territory, or the District of Columbia”.

In subsection (c), the words “Members of the National Guard participating in an exercise under subsection (a)” are substituted for the words “When any portion of the National Guard shall participate in encampments, maneuvers, or other exercises, including outdoor target practice, for field or coast-defense instruction, under the provisions of this title”. The words

“duly”, “at any time”, “rendezvous”, “both dates inclusive”, and “making the same” are omitted as surplusage.

AMENDMENTS

1988—Subsec. (b). Pub. L. 100-456 struck out “the Canal Zone,” after “Puerto Rico,”.

CROSS REFERENCES

Credit for service as members of Army National Guard or Air National Guard of members of Army National Guard of United States or Air National Guard of United States, see section 12602 of Title 10, Armed Forces.

Inactive duty training, duty (other than full-time duty) under this section as, see section 101 of Title 38, Veterans' Benefits.

Pay grades of National Guard personnel on active duty, see section 204 of Title 37, Pay and Allowances of the Uniformed Services.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 101, 715 of this title; title 5 section 6323; title 10 sections 101, 524, 701, 1054, 1089, 1208, 12732, 12733; title 28 section 2671; title 38 sections 101, 1965, 4312.

§ 504. National Guard schools and small arms competitions

(a) Under regulations to be prescribed by the Secretary of the Army or Secretary of the Air Force, as the case may be, members of the National Guard may—

- (1) attend schools conducted by the Army or the Air Force, as appropriate;
- (2) conduct or attend schools conducted by the National Guard; or
- (3) participate in small arms competitions.

(b) Activities authorized under subsection (a) for members of the National Guard of a State or territory, Puerto Rico, or the District of Columbia may be held inside or outside its boundaries.

(Aug. 10, 1956, ch. 1041, 70A Stat. 611; Oct. 3, 1964, Pub. L. 88-621, § 1(2), 78 Stat. 999; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, § 1234(b)(1), 102 Stat. 2059.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
504(a)	32:64 (1st sentence).	June 3, 1916, ch. 134, § 97
504(b)	32:64 (less 1st sentence).	(less last sentence); re-stated May 28, 1926, ch. 417, § 2 (less last sentence), 44 Stat. 674.

In subsection (a), the word “members” is substituted for the words “officers, warrant officers, and enlisted men”. The words “for the purpose” and “for that purpose” are omitted as surplusage.

In subsection (b), the words “Assemblies under subsection (a)” are substituted for the words “such assemblies”. The words “for members of the National Guard of a State or Territory, Puerto Rico, the Canal Zone, or the District of Columbia * * * inside or outside of its boundaries” are substituted for the words “either within or without the State, Territory, or District of Columbia, to which the members of the National Guard designated to attend them shall belong”.

AMENDMENTS

1988—Subsec. (b). Pub. L. 100-456 struck out “the Canal Zone,” after “Puerto Rico,”.

1964—Pub. L. 88-621 substituted provisions authorizing the Secretaries of the Army and of the Air Force to

issue regulations, for provisions authorizing the President to issue regulations, and provided that members of the National Guard may conduct or attend schools conducted by the National Guard.

CROSS REFERENCES

Credit for service as members of Army National Guard or Air National Guard of members of Army National Guard of United States or Air National Guard of United States, see section 12602 of Title 10, Armed Forces.

Inactive duty training, duty (other than full-time duty) under this section as, see section 101 of Title 38, Veterans' Benefits.

Pay grades of National Guard personnel on active duty, see section 204 of Title 37, Pay and Allowances of the Uniformed Services.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 101, 715 of this title; title 5 section 6323; title 10 sections 101, 701, 1054, 1089, 1208, 12732, 12733; title 28 section 2671; title 38 sections 101, 1965.

§ 505. Army and Air Force schools and field exercises

Under such regulations as the President may prescribe and upon the recommendation of the governor of any State or Territory or Puerto Rico or of the commanding general of the National Guard of the District of Columbia, the Secretary of the Army may authorize a limited number of members of its Army National Guard to—

- (1) attend any service school except the United States Military Academy, and to pursue a regular course of study at the school; or
- (2) be attached to an organization of the branch of the Army corresponding to the organization of the Army National Guard to which the member belongs, for routine practical instruction at or near an Army post during field training or other outdoor exercise.

Similarly, the Secretary of the Air Force may authorize a limited number of members of the Air National Guard to—

- (1) attend any service school except the United States Air Force Academy, and to pursue a regular course of study at the school; or
- (2) be attached to an organization of the Air Force corresponding to the organization of the Air National Guard to which the member belongs, for routine practical instruction at an air base during field training or other outdoor exercise.

(Aug. 10, 1956, ch. 1041, 70A Stat. 611; Sept. 29, 1988, Pub. L. 100-456, div. A, title XII, § 1234(b)(4), 102 Stat. 2059.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
505	32:65.	June 3, 1916, ch. 134, § 99 (1st 133 words); restated Sept. 22, 1922, ch. 423, § 5 (1st 129 words); restated May 28, 1926, ch. 417, § 3 (1st 133 words), 44 Stat. 674.

The words “branch of the Army corresponding” are substituted for the words “same arm, corps, or department”, to conform to sections 3063 and 3064 of title 10. In the second sentence, the words “organization of the

Air Force corresponding” are substituted for the words “same arm, corps, or department”, since the Air Force is not organized by statute into branches, arms, corps, or departments. The word “members” is substituted for the words “officers, warrant officers, and enlisted men”. The words “service school” are substituted for the words “military-service school of the United States”. Reference to the United States Air Force Academy is inserted to reflect its establishment by the Air Force Academy Act (63 Stat. 47).

AMENDMENTS

1988—Pub. L. 100-456, which directed the substitution of “Territory or Puerto Rico” for “Territory, Puerto Rico, or the Canal Zone,” in subsec. (a), was executed to the introductory provisions of this section as the probable intent of Congress.

CROSS REFERENCES

Credit for service as member of Army National Guard or Air National Guard of members of Army National Guard of United States or Air National Guard of United States, see section 12602 of Title 10, Armed Forces.

Inactive duty training, duty (other than full-time duty) under this section as, see section 101 of Title 38, Veterans' Benefits.

Pay grades of National Guard personnel on active duty, see section 204 of Title 37, Pay and Allowances of the Uniformed Services.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 101, 715 of this title; title 5 section 6323; title 10 sections 101, 701, 1054, 1089, 1208, 12732, 12733; title 28 section 2671; title 38 sections 101, 1965.

§ 506. Assignment and detail of members of Regular Army or Regular Air Force for instruction of National Guard

(a) The President shall assign for instruction of the National Guard such members of the Regular Army or the Regular Air Force as he considers necessary.

(b) The Secretary of the Army may detail members of the Regular Army to attend an encampment, maneuver, or other exercise, for field or coast-defense instruction of the Army National Guard. Similarly, the Secretary of the Air Force may detail members of the Regular Air Force to attend exercises for field or coast-defense instruction of the Air National Guard. Members so detailed shall instruct the members of the National Guard at the exercise, as directed by the Secretary concerned, or as requested by the governor or commanding officer of the National Guard there assembled.

(Aug. 10, 1956, ch. 1041, 70A Stat. 611.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
506(a)	32:66.	June 3, 1916, ch. 134, § 81 (1st sentence of 2d par., less 1st 7 words); added June 4, 1920, ch. 227, subch. I, § 44 (5th sentence, less 1st 6 words); restated Sept. 22, 1922, ch. 423, § 4 (6th sentence, less 1st 6 words); restated Feb. 28, 1925, ch. 371, § 3 (6th sentence, less 1st 6 words); restated June 15, 1933, ch. 87, § 16 (1st sentence of 2d par., less 1st 7 words), 48 Stat. 160. June 3, 1916, ch. 134, § 96, 39 Stat. 207.
506(b)	32:67.	

In subsection (a), the words “members of the Regular Army and the Regular Air Force” are substituted for the words “officers of the Regular Army” and “enlisted men of the Regular Army”.

In subsection (b), the words “members” is substituted for the words “officers and enlisted men”. The words “one or more”, “information”, and “encampment, maneuver, or other” are omitted as surplusage.

CROSS REFERENCES

Pay grades of National Guard personnel on active duty, see section 204 of Title 37, Pay and Allowances of the Uniformed Services.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 37 section 204.

§ 507. Instruction in firing; supply of ammunition

Ammunition for instruction in firing and for target practice may be furnished, in such amounts as may be prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be, to units of the National Guard encamped at a post, camp, or air base. The instruction shall be under the direction of a commissioned officer selected for that purpose by the proper military commander.

(Aug. 10, 1956, ch. 1041, 70A Stat. 612.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
507	32:71.	Jan. 21, 1903, ch. 196, § 21, 32 Stat. 779.

The words “post camp, or air base” are substituted for the words “military post or camp”. The words “such amounts” are omitted as surplusage. The words “National Guard” are substituted for the words “troops of the militia”, since the source statute historically applied only to the organized militia (see opinion of the Judge Advocate General of the Army (JAGA 1952/4374, 9 July 1952)). The word “commissioned” is inserted, since 32:71 historically applied only to commissioned officers (see opinion of the Judge Advocate General of the Army (JAGA 1953/4078, 6 May 1953)).

§ 508. Assistance for certain youth and charitable organizations

(a) **AUTHORITY TO PROVIDE SERVICES.**—Members and units of the National Guard may provide the services described in subsection (b) to an eligible organization in conjunction with training required under this chapter in any case in which—

(1) the provision of such services does not adversely affect the quality of that training or otherwise interfere with the ability of a member or unit of the National Guard to perform the military functions of the member or unit;

(2) the services to be provided are not commercially available, or any commercial entity that would otherwise provide such services has approved, in writing, the provision of such services by the National Guard;

(3) National Guard personnel will enhance their military skills as a result of providing such services; and

(4) the provision of the services will not result in a significant increase in the cost of the training.

(b) **AUTHORIZED SERVICES.**—The services authorized to be provided under subsection (a) are as follows:

- (1) Ground transportation.
- (2) Air transportation in support of Special Olympics.
- (3) Administrative support services.
- (4) Technical training services.
- (5) Emergency medical assistance and services.
- (6) Communications services.

(c) **OTHER AUTHORIZED ASSISTANCE.**—Facilities and equipment of the National Guard, including military property of the United States issued to the National Guard and General Services Administration vehicles leased to the National Guard, and General Services Administration vehicles leased to the Department of Defense, may be used in connection with providing services to any eligible organization under this section.

(d) **ELIGIBLE ORGANIZATIONS.**—The organizations eligible to receive services under this section are as follows:

- (1) The Boy Scouts of America.
- (2) The Girl Scouts of America.
- (3) The Boys Clubs of America.
- (4) The Girls Clubs of America.
- (5) The Young Men's Christian Association.
- (6) The Young Women's Christian Association.
- (7) The Civil Air Patrol.
- (8) The United States Olympic Committee.
- (9) The Special Olympics.
- (10) The Campfire Boys.
- (11) The Campfire Girls.
- (12) The 4-H Club.
- (13) The Police Athletic League.
- (14) Any other youth or charitable organization designated by the Secretary of Defense.

(Added Pub. L. 103-337, div. A, title III, §385(a), Oct. 5, 1994, 108 Stat. 2741.)

CHAPTER 7—SERVICE, SUPPLY, AND PROCUREMENT

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| Sec.
701. | Uniforms, arms, and equipment to be same as Army or Air Force. |
| 702. | Issue of supplies. |
| 703. | Purchases of supplies by States from Army or Air Force. |
| 704. | Accountability: relief from upon order to active duty. |
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| 713. | Official mail: free transmission. |
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| 715. | Property loss; personal injury or death: activities under certain sections of this title. |
| 716. | Claims for overpayment of pay and allowances, and travel and transportation allowances. |

AMENDMENTS

1985—Pub. L. 99-224, §3(b), Dec. 28, 1985, 99 Stat. 1742, substituted “and travel” for “other than travel” in item 716.